

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

2017 MAY 23 PM 12:33

OFFICE OF THE CLERK

PHILIP PETRONE, et al.,

Plaintiffs,

vs.

WERNER ENTERPRISES, INC., AND  
DRIVERS MANAGEMENT, LLC;

Defendants.

VERDICT

8:11CV401

PHILIP PETRONE, et al.;

Plaintiffs,

vs.

WERNER ENTERPRISES, INC., AND  
DRIVERS MANAGEMENT, LLC,

Defendants.

8:12CV307

**Short Rest Breaks of 20 Minutes or Less**

**Question No. 1:**

With respect to Plaintiffs' claims that Werner did not pay Plaintiffs for short rest breaks of 20 minutes or less, what is the amount of damages, if any, that should be awarded to Plaintiffs for the period from August 2008 to August 1, 2014?

\$ 779,127

**Continue to Question No. 2.**

**Sleeper Berth Hours**

**Question No. 2**

Did Werner have a policy or practice of requiring or allowing Plaintiffs to work during time logged in the sleeper berth in excess of eight hours each 24-hour period?

\_\_\_\_\_ Yes

X \_\_\_\_\_ No

(Mark an "X" in the appropriate space)

***Answer Question No. 3 if you marked "Yes" in Question No. 2.***

**Question No. 3**

Was Werner's policy or practice of requiring or allowing Plaintiffs to work during time logged in the sleeper berth in excess of eight hours each 24-hour period equally applicable to all class members?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

(Mark an "X" in the appropriate space)

***Answer Question No. 4 if you marked "Yes" in Question No. 3.***

**Question No. 4**

Did Werner fail to pay Plaintiffs minimum wage for hours logged in the sleeper berth in excess of eight hours each 24-hour period?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

(Mark an "X" in the appropriate space)

***Answer Question No. 5 if you marked "Yes" in Question No. 4.***

**Question No. 5**

On Plaintiffs' claim against Werner for failure to pay minimum wage due to Werner's failure to pay for sleeper berth time Plaintiffs logged in excess of eight hours per 24-hour period, what is the amount of damages, if any, that should be awarded to Plaintiffs for the period from August 2008 to August 1, 2014?

\$ \_\_\_\_\_

***You have finished your deliberations. Please have your foreperson sign and date this verdict form and call the Judge's chambers.***

DATED: May 23, 2017

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